

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE

Hilda Solis

v.

Civil No. 12-cv-356-PB

Kevin Corriveau Painting, Inc. et al.

REPORT AND RECOMMENDATION

Plaintiff has filed a motion for a temporary restraining order and for a preliminary injunction (doc. no. 47). The motion has been referred to this Magistrate Judge for a Report and Recommendation as to disposition. See Doc. No. 48.

The Court scheduled a hearing on the Plaintiff's motion for August 6, 2014. On August 1, 2014, however, Plaintiff filed a "Consent Preliminary Injunction and Order" (doc. no. 56), stating that the parties had agreed to the issuance of a preliminary injunction as outlined in that document. The Court has reviewed the document and finds that a preliminary injunction should issue, under the terms of the stipulation of the parties contained in the "Consent Preliminary Injunction and Order," (doc. no. 56) except as to the last paragraph of that order concerning Plaintiff's motion for leave to amend the

complaint, which should be stricken. The Court has already issued an order granting Plaintiff's motion for leave to amend.

The Court now recommends that the District Judge issue the following Order:

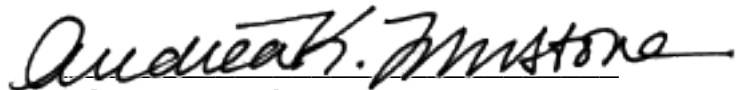
1. The motion for preliminary injunction and temporary restraining order (doc. no. 47) is granted in part and denied in part.

2. The motion is granted to the extent it requests a preliminary injunction in accordance with the "Consent Preliminary Injunction and Order" (doc. no. 56), which is accepted as the stipulation of the parties, and deemed to set forth the terms of the preliminary injunction issued this date, with the exception of the last paragraph of the proposed order, which is stricken.

3. The motion (doc. no. 47) is denied to the extent it requests the issuance of a temporary restraining order, as the request is mooted by the issuance of this preliminary injunction.

Any objections to this report and recommendation must be filed within fourteen days of receipt of this notice. See Fed. R. Civ. P. 72(b)(2). Failure to file objections within the

specified time waives the right to appeal the district court's order. See United States v. De Jesús-Viera, 655 F.3d 52, 57 (1st Cir. 2011); Sch. Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (only issues fairly raised by objections to magistrate judge's report are subject to review by district court; issues not preserved by such objection are precluded on appeal).

A handwritten signature in black ink, reading "Andrea K. Johnstone". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Andrea K. Johnstone
United States Magistrate Judge

August 5, 2014

cc: Counsel of Record